

# **EXHIBIT A**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF WISCONSIN  
GREEN BAY DIVISION**

APPLETON PAPERS INC. and	)	
NCR CORPORATION,	)	
	)	
Plaintiffs,	)	
v.	)	No. 08-CV-16-WCG
	)	
GEORGE A. WHITING PAPER COMPANY,	)	
ET AL.,	)	
Defendants.	)	

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NCR CORPORATION,	)	
	)	
Plaintiff,	)	
v.	)	No. 08-CV-0895-WCG
	)	
KIMBERLY-CLARK CORPORATION,	)	
ET AL.,	)	
Defendants.	)	

**NOTICE OF DEPOSITION PURSUANT TO FED. R. CIV. P. 30(b)(6)**

PLEASE TAKE NOTICE that, pursuant to Rule 30(b)(6) of the Federal Rules of Civil Procedure, counsel for Plaintiff NCR Corporation ("NCR") will take the deposition upon oral examination of Defendant P.H. Glatfelter Company, as to the topics listed in Schedule A, annexed hereto.

The deposition will commence on November 2, at 9:00 a.m., or another mutually agreeable date, at a location mutually agreeable to the parties, before a person duly authorized to administer oaths. The deposition will be videotaped and transcribed by stenographic means.

All parties are invited to attend and to participate if so desired.

Dated: October 4, 2011

Respectfully Submitted,

NCR CORPORATION

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### SCHEDULE A

1. The \$9,424,690.17 disbursed from the Fox River Group Custodial Account to Blasland Bouck & Lee Inc., including but not limited to the nature of the work or activities for which these costs were spent; the persons who were involved with the work or activities; the dates and location(s) of the work or activities; the reasons why the work or activities were performed; and the documentation of these costs, the work or activities.
2. The \$4,923,484.81 disbursed from the Fox River Group Custodial Account to Limno-Tech Inc., including but not limited to the nature of the work or activities for which these costs were spent; the persons who were involved with the work or activities; the dates and location(s) of the work or activities; the reasons why the work or activities were performed; and the documentation of these costs, the work or activities.
3. The \$4,919,648.45 disbursed from the Fox River Group Custodial Account to Montgomery Watson, including but not limited to the nature of the work or activities for which these costs were spent; the persons who were involved with the work or activities; the dates and location(s) of the work or activities; the reasons why the work or activities were performed; and the documentation of these costs, the work or activities.
4. The payment dispute between Montgomery Watson and Four Seasons regarding the work or activities performed by Four Seasons as a subcontractor to Montgomery Watson.
5. The \$3,822,050.28 disbursed from the Fox River Group Custodial Account to Exponent Environmental Group, Inc. (also known as PTI Environmental Services), including but not limited to the nature of the work or activities for which these costs were spent; the persons who were involved with the work or activities; the dates and location(s) of the work or activities;

the reasons why the work or activities were performed; and the documentation of these costs, the work or activities.

6. The \$2,642,321.04 disbursed from the Fox River Group Custodial Account to Triangle Economic Research, including but not limited to the nature of the work or activities for which these costs were spent; the persons who were involved with the work or activities; the dates and location(s) of the work or activities; the reasons why the work or activities were performed; and the documentation of these costs, the work or activities.

7. The \$2,002,518.86 disbursed from the Fox River Group Custodial Account to De Maximis, Inc., including but not limited to the nature of the work or activities for which these costs were spent; the persons who were involved with the work or activities; the dates and location(s) of the work or activities; the reasons why the work or activities were performed; and the documentation of these costs, the work or activities.

8. The \$1,666,337.10 disbursed from the Fox River Group Custodial Account to Ruder Finn, including but not limited to the nature of the work or activities for which these costs were spent; the persons who were involved with the work or activities; the dates and location(s) of the work or activities; the reasons why the work or activities were performed; and the documentation of these costs, the work or activities.

9. The \$1,261,734.25 disbursed from the Fox River Group Custodial Account to the Wisconsin Department of Natural Resources, including but not limited to the nature of the work or activities for which these costs were spent; the persons who were involved with the work or activities; the dates and location(s) of the work or activities; the reasons why the work or activities were performed; and the documentation of these costs, the work or activities.

10. The \$923,301.45 disbursed from the Fox River Group Custodial Account to Fleishman-Hillard Inc., including but not limited to the nature of the work or activities for which these costs were spent; the persons who were involved with the work or activities; the dates and location(s) of the work or activities; the reasons why the work or activities were performed; and the documentation of these costs, the work or activities.

11. The \$682,292.28 disbursed from the Fox River Group Custodial Account to J. Joseph Cullen Public Works, including but not limited to the nature of the work or activities for which these costs were spent; the persons who were involved with the work or activities; the dates and location(s) of the work or activities; the reasons why the work or activities were performed; and the documentation of these costs, the work or activities.

12. The \$624,044.39 disbursed from the Fox River Group Custodial Account to Amec Earth & Environmental, Inc. (also known as Ogden Environmental), including but not limited to the nature of the work or activities for which these costs were spent; the persons who were involved with the work or activities; the dates and location(s) of the work or activities; the reasons why the work or activities were performed; and the documentation of these costs, the work or activities.

13. The \$500,280.85 disbursed from the Fox River Group Custodial Account to the University of Wisconsin Survey Research Lab, including but not limited to the nature of the work or activities for which these costs were spent; the persons who were involved with the work or activities; the dates and location(s) of the work or activities; the reasons why the work or activities were performed; and the documentation of these costs, the work or activities.

14. The \$294,268.03 disbursed from the Fox River Group Custodial Account to the City of Kaukauna, including but not limited to the nature of the work or activities for which these

costs were spent; the persons who were involved with the work or activities; the dates and location(s) of the work or activities; the reasons why the work or activities were performed; and the documentation of these costs, the work or activities.

15. The \$595,396.88 disbursed from the Fox River Group Custodial Account to PriceWaterhouseCoopers LLP, including but not limited to the nature of the work or activities for which these costs were spent; the persons who were involved with the work or activities; the dates and location(s) of the work or activities; the reasons why the work or activities were performed; and the documentation of these costs, the work or activities.

16. The \$312,565.70 disbursed from the Fox River Group Custodial Account to O'Connor Communications, including but not limited to the nature of the work or activities for which these costs were spent; the persons who were involved with the work or activities; the dates and location(s) of the work or activities; the reasons why the work or activities were performed; and the documentation of these costs, the work or activities.

17. The \$274,215.83 disbursed from the Fox River Group Custodial Account to FH&K, including but not limited to the nature of the work or activities for which these costs were spent; the persons who were involved with the work or activities; the dates and location(s) of the work or activities; the reasons why the work or activities were performed; and the documentation of these costs, the work or activities.

18. The \$242,515.00 disbursed from the Fox River Group Custodial Account to J & H Marsh & McLennan, Inc., including but not limited to the nature of the work or activities for which these costs were spent; the persons who were involved with the work or activities; the dates and location(s) of the work or activities; the reasons why the work or activities were performed; and the documentation of these costs, the work or activities.

19. The \$239,515.72 disbursed from the Fox River Group Custodial Account to Entrix Inc., including but not limited to the nature of the work or activities for which these costs were spent; the persons who were involved with the work or activities; the dates and location(s) of the work or activities; the reasons why the work or activities were performed; and the documentation of these costs, the work or activities.

20. The \$231,984.00 disbursed from the Fox River Group Custodial Account to American Geological Institute, including but not limited to the nature of the work or activities for which these costs were spent; the persons who were involved with the work or activities; the dates and location(s) of the work or activities; the reasons why the work or activities were performed; and the documentation of these costs, the work or activities.

21. The \$203,187.00 disbursed from the Fox River Group Custodial Account to Association for the Environmental Health of Soils, including but not limited to the nature of the work or activities for which these costs were spent; the persons who were involved with the work or activities; the dates and location(s) of the work or activities; the reasons why the work or activities were performed; and the documentation of these costs, the work or activities.

22. The \$184,894.12 disbursed from the Fox River Group Custodial Account to Deloitte & Touche LLP, including but not limited to the nature of the work or activities for which these costs were spent; the persons who were involved with the work or activities; the dates and location(s) of the work or activities; the reasons why the work or activities were performed; and the documentation of these costs, the work or activities.

23. The \$120,000.00 disbursed from the Fox River Group Custodial Account to the University of Wisconsin Foundation, including but not limited to the nature of the work or activities for which these costs were spent; the persons who were involved with the work or



activities; the dates and location(s) of the work or activities; the reasons why the work or activities were performed; and the documentation of these costs, the work or activities.

24. The \$107,563.62 disbursed from the Fox River Group Custodial Account to Giesy Ecotoxicology, Inc., including but not limited to the nature of the work or activities for which these costs were spent; the persons who were involved with the work or activities; the dates and location(s) of the work or activities; the reasons why the work or activities were performed; and the documentation of these costs, the work or activities.

25. The \$92,180.00 disbursed from the Fox River Group Custodial Account to Lancaster Consulting LLC, including but not limited to the nature of the work or activities for which these costs were spent; the persons who were involved with the work or activities; the dates and location(s) of the work or activities; the reasons why the work or activities were performed; and the documentation of these costs, the work or activities.

26. The \$89,754.78 disbursed from the Fox River Group Custodial Account to Environmental Performance Strategies, including but not limited to the nature of the work or activities for which these costs were spent; the persons who were involved with the work or activities; the dates and location(s) of the work or activities; the reasons why the work or activities were performed; and the documentation of these costs, the work or activities.

27. The \$65,590.63 disbursed from the Fox River Group Custodial Account to Appleton Papers Inc., Fort James Corporation, NCR Corporation, P.H. Glatfelter Company, and WTM I Company for account termination.

28. The \$301,834.19 disbursed from the Fox River Group Custodial Account to Michigan State University, including but not limited to the nature of the work or activities for which these costs were spent; the persons who were involved with the work or activities; the

dates and location(s) of the work or activities; the reasons why the work or activities were performed; and the documentation of these costs, the work or activities.

29. The \$57,435.33 disbursed from the Fox River Group Custodial Account to W. Frank Bohlen, including but not limited to the nature of the work or activities for which these costs were spent; the persons who were involved with the work or activities; the dates and location(s) of the work or activities; the reasons why the work or activities were performed; and the documentation of these costs, the work or activities.

30. The \$39,714.98 disbursed from the Fox River Group Custodial Account to Stein Ray & Harris, including but not limited to the nature of the work or activities for which these costs were spent; the persons who were involved with the work or activities; the dates and location(s) of the work or activities; the reasons why the work or activities were performed; and the documentation of these costs, the work or activities.

31. The \$27,579.30 disbursed from the Fox River Group Custodial Account to Foley & Lardner, including but not limited to the nature of the work or activities for which these costs were spent; the persons who were involved with the work or activities; the dates and location(s) of the work or activities; the reasons why the work or activities were performed; and the documentation of these costs, the work or activities.

32. 56/57 Landfill Services, including but not limited to: claims for the costs of construction and operation of the landfill, and related escrow funding and insurance, the persons who were involved with the work, the dates and location(s) of the work, the reasons why the work was performed, and the documentation of these costs or work; and the method of allocation or proration of these and/or other related costs between the Fox River Group, Georgia-Pacific/Fort James and/or any other parties.

33. Disbursement certificates 1-7 and 9-20 that were provided as support for the April 1, 2004 – December 31, 2004 escrow account expense listed in R. Schneider's declaration, and in particular, whether those certificates total \$10,878,604.30, not \$10,889,684.59, as stated in the declaration.

34. Disbursement certificates 479-737, DNR2-12, and EPA1 that were provided as support for the April 1, 2008 – August 14, 2008 escrow account expense and August 2008 – February 28, 2010 subaccount expenses listed in R. Schneider's declaration, and in particular, whether those certificates total \$25,300,110.15, not \$25,304,385.16 as stated in the declaration.

35. Documentation substantiating the \$370,000 in Initial OU1 Consent Decree costs purportedly paid to the EPA Hazardous Substance Superfund.

36. Documentation substantiating the \$150,000 in natural resource damages purportedly paid to the Department of Interior NRDAR Fund.

37. Documentation substantiating the \$250,000 in natural resource damages purportedly paid to the trustee-sponsored restoration efforts.

38. Documentation substantiating the \$31,880.13 in OU2-5 oversight costs purportedly paid to the U.S. EPA.

### **CERTIFICATE OF SERVICE**

I, Eric Ha, hereby certify that on October 4, 2011, I caused a copy of the foregoing Notice of Deposition to be served on the following counsel by electronic mail:

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/s/ Eric Ha

Eric Ha